

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 DEUTSCHE BANK NATIONAL TRUST
5 COMPANY AS TRUSTEE FOR NEW
6 CENTURY HOME EQUITY LOAN TRUST,
7 SERIES 2005-D, ASSET BACKED
8 PASSTHROUGH CERTIFICATES,

9 Plaintiff,

10 vs.

11 WESTCOR LAND TITLE INSURANCE
12 COMPANY; DOE INDIVIDUALS I through X;
13 and ROE CORPORATIONS XI through XX,
14 inclusive,

15 Defendant.

2:20-cv-01706-APG-VCF
ORDER

16 Before the Court is Deutsche Bank's Motion for Leave to file Its Reply in Support of Motion to
17 Compel Rule 30(B)(6) Deponent from Westcor and Motion for Costs and Fees Under Seal (ECF NO. 54).

18 Deutsche Bank Trustee moves for leave to file Exhibit 1, all references to Exhibit 1, and portions
19 of Exhibit 1 to Deutsche Bank Trustee's Reply in Support of Motion to Compel Rule 30(B)(6) Deponent
20 from Westcor and Motion for Costs and Fees (hereinafter "Reply") under seal.

21 Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any
22 motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to
23 the granting of the motion. No opposition has been filed and the time to file an opposition has passed.
24 Here, it would seem as though the defendant has consented to the granting of the instant motion.

25 The Ninth Circuit has emphasized a strong presumption in favor of access to court records and
documents. *Foltz v. State Farm Mut. Auto Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). This general
right to public documents, however, is not absolute. *Nixon v. Warner Commc'ns*, 435 U.S. 589, 598
(1978). Local Rule IA 10-5 explains that a party may file a document with the court under seal if
accompanied by a motion for leave to file those documents under seal.

1 A party seeking to seal documents in support of a non-dispositive motion must only show “good
2 cause” exists to seal the documents in question. *Kamakana v. City and County of Honolulu*, 447 F.3d
3 1172, 1179-80 (9th Cir. 2006). Here, the good cause standard is met and the motion to seal is granted.

4 Accordingly, and good cause appearing,

5 IT IS HEREBY ORDERED that Deutsche Bank’s Motion for Leave to file Its Reply in Support
6 of Motion to Compel Rule 30(B)(6) Deponent from Westcor and Motion for Costs and Fees Under Seal
7 (ECF NO. 54) is GRANTED.

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9 DATED this 23rd day of June, 2021.



10 CAM FERENBACH
11 UNITED STATES MAGISTRATE JUDGE
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